



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,518	10/18/2000	Zigurd Mednieks	BZM-00101	5117

25702 7590 06/06/2003

SCOTT C. RAND, ESQ.
MCLANE, GRAF, RAULERSON & MIDDLETON, PA
900 ELM STREET, P.O. BOX 326
MANCHESTER, NH 03105-0326

EXAMINER

GAUTHIER, GERALD

ART UNIT PAPER NUMBER

2645

DATE MAILED: 06/06/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

09/691,518

Applicant(s)

MEDNIEKS, ZIGURD

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 21 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: .

DETAILED ACTION

Drawings

1. The corrected drawings were received on 2/21/2003. These drawings are accepted.

Election/Restrictions

2. Applicant's election with traverse of **claims 1-18 and 27-28** in Paper No. 10 is acknowledged.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-6, 8-16, 18 and 27-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. (US 4788,720) in view of Zhu (US 6,240,172).

Regarding **claim 1**, Brennan discloses a programmable subscriber set method (column 1, lines 4-8), (which reads on claimed "a method of program mapping selected ones of a plurality of telecommunication system features");

from a central programming controller (column 3, line 7 "PABX") to selected ones of a plurality of user programmable switches (column 3, line 4 "soft keys");

at least one local instrument (column 3, line 45 "the set") using at least one of tones, beeps, buzzes and prompts (column 3, line 54 "prompt signal") provided by the central controller to a user (column 3, line 47 "the user");

at the at least one local instrument (column 3, lines 45-56) [The user call the system to program the set soft keys].

Brennan fails to disclose voice prompts to a user.

However Zhu teaches voice prompts to the user (column 4, lines 47-62).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use voice prompts to a user phone of Zhu in the invention of Brennan.

The modification of the invention would offer the capability of voice prompts to a user phone such as the system would remotely reconfigure the telephone set.

Regarding **claims 2 and 12**, Brennan discloses remotely locating the central programming controller and a user interface from the user (column 3, lines 5-10); and

separating the central programming controller and the user interface from the user a telecommunication connection (column 3, lines 5-10).

Regarding **claims 3 and 13**, Brennan discloses physically locating the central programming controller in the same cabinet as the at least one local instrument in a telecommunications system controlled by the central programming controller (column 3, lines 5-10).

Regarding **claims 4 and 14**, Brennan discloses the local instrument is one of a telephone (column 3, lines 34-44).

Regarding **claims 5 and 15**, Brennan discloses the local switches include buttons on a telephone (column 3, lines 1-4).

Regarding **claims 6 and 16**, Brennan discloses the switches are local switches including at least one contact sensitive region of an electronic display (column 3, lines 1-4).

Regarding **claims 8 and 18**, Brennan discloses the plurality of telecommunication system features further comprise call forwarding (column 4, lines 21-31).

Regarding **claim 9**, Brennan discloses the central programming controller is a PBX (column 3, lines 5-10).

Regarding **claim 10**, Brennan discloses using the prompt system to answer a telephone call (column 3, lines 45-56).

Regarding **claim 11**, Brennan discloses a programmable subscriber set method (column 1, lines 4-8), (which reads on claimed “a method of program mapping selected ones of a plurality of PBX system features to selected ones of a plurality of telephone buttons on a telephone receiver”), the method comprising:

using prompts (column 3, line 54 “prompt signal”) to a user (column 3, line 50 “the user”) at the telephone receiver (column 3, line 46 “the set”) and the telephone buttons (column 3, lines 45-56) [The user depresses a soft key to confirm that a PBX feature is to be programmed and the prompt signal is associated with the key]; and

generating the prompts (column 3, line 55 “YES”) by at least one user interface (column 3, line 55 “key 2”) connected to the PBX (column 3, lines 53-68) [The prompt signals are successively displayed in response of depressing different keys by the user].

Brennan fails to disclose voice prompts to a user.

However Zhu teaches voice prompts to the user (column 4, lines 47-62).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use voice prompts to a user phone of Zhu in the invention of Brennan.

The modification of the invention would offer the capability of voice prompts to a user such as the system would remotely reconfigure the telephone set.

Regarding **claim 27**, Brennan discloses a programmable subscriber set method (column 1, lines 4-8), (which reads on claimed “a method of configuring a local instrument in a telecommunications system”), comprising:

prompting a user (column 3, line 57 “the user”) at the local instrument (column 3, line 45 “the set”) using at least one prompt selected tone beeps, buzzes and prompts (column 3, lines 53-59) [The prompt signal is associated with the key pressed by the user];

receiving user input (column 3, line 57 “the user then depresses one of either keys”) in response to the at least one prompt and mapping a selected one of a plurality of switches (column 3, line 57 “either keys 2 or 3”) on the local instrument (column 3, line 68 “the set”) in response to the user input (column 3, lines 59-68) [In response to depressing key the next special feature appears in the blank region].

Brennan fails to disclose voice prompts to a user.

However Zhu teaches voice prompts to the user (column 4, lines 47-62).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use voice prompts to a user phone of Zhu in the invention of Brennan.

The modification of the invention would offer the capability of voice prompts to a user such as the system would remotely reconfigure the telephone set.

Regarding **claim 28**, Brennan discloses a programmable subscriber set (column 1, lines 4-8), (which reads on claimed “an apparatus for configuring a local instrument in a telecommunications system”), comprising:

a computer (column 3, line 7 “PABX”) [The PABX facility is a computer system];
and

one or more programs (column 3, line 48 “PROGRAM”), performed by the computer, prompting a user (column 3, line 57 “the user”) at the local instrument (column 3, line 45 “the set”) using at least one prompt selected from tones beeps, buzzes and prompts (column 3, lines 53-59) [The prompt signal is associated with the key pressed by the user];

receiving user input (column 3, line 57 “the user then depresses one of either keys”) in response to the at least one prompt (column 3, lines 59-68) [In response to depressing key the next special feature appears in the blank region]; and

mapping a selected one of a plurality of telecommunication system features (column 4, lines 21-31) to a selected one of a plurality of switches (column 4, line 19 “key 4”) on the local instrument in response to the user input (column 4, lines 15-31) [The set has been programmed to generate the proprietary access code signal for implementing a special feature].

Brennan fails to disclose voice prompts to a user.

However Zhu teaches voice prompts to the user (column 4, lines 47-62).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use voice prompts to a user phone of Zhu in the invention of Brennan.

The modification of the invention would offer the capability of voice prompts to a user such as the system would remotely reconfigure the telephone set.

5. **Claims 7 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan in view of Zhu and in further view of LeDuc et al. (US 5,355,404).

Regarding **claims 7 and 17**, Brennan and Zhu as applied to **claims 1 and 15** above differ from **claims 7 and 17** in that it fails to disclose the switches further comprise steady lights.

However, LeDuc teaches the switches further comprise steady lights (1038 on FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the switches further comprise steady lights of LeDuc in the invention of Brennan and Zhu.

The modification of the invention would offer the capability of the switches further comprise steady lights such as the system would program the lights on the telephone.

Response to Arguments

6. Applicant's arguments with respect to **claims 1-18 and 27-28** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. is cited for a method for providing personalized telephone subscriber features (FIG. 1).

Biswas et al. is cited for a dynamically configurable telephone (FIG. 1).

Chon et al. is cited for a method for controlling characteristics of distributed telephone sets (FIG. 1).


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Application/Control Number: 09/691,518
Art Unit: 2645

Page 10

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
June 2, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

